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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,775	03/06/2002	Geoffrey B. Rhoads	220430US25CONT	1576
22850	7590	02/15/2006	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.			VU, VIET DUY	
1940 DUKE STREET			ART UNIT	PAPER NUMBER
ALEXANDRIA, VA 22314			2154	

DATE MAILED: 02/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/090,775

Applicant(s)

RHOADS, GEOFFREY B.

Examiner

Viet Vu

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-95 is/are pending in the application.
- 4a) Of the above claim(s) 84-95 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-83 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/06</u> . | 6) <input type="checkbox"/> Other: _____ |

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1. Applicant is requested to cancel non-elected claims 84-95 in the next correspondence.

Art Rejections:

2. The texts of 35 U.S.C. 102(e) and 103(a) not cited here can be found in the previous office action.

3. Claims 1-6, 10-36, 40-66 and 70-83 are rejected under 35 U.S.C. 103(a) as clearly anticipated by Wolff, U.S. pat. No. 5,848,413.

Per claims 1-6, 13-16 and 29-30, Wolff discloses a system and method for connecting a user to a remote computer over a network comprising:

a) reading a data carrier, i.e., barcode, modulated with an index (see col 4, lines 43-67 and col 7, lines 10-14);

b) accessing a database with the index, the database comprising a plurality of records that link an index to a pointer which identifies a remote computer on the network (col 7, lines 17-21);

c) extracting a pointer, i.e., URL or IP address, as a function of the index (col 7, lines 21-24);

d) using the pointer to establish communication with the remote computer (see col 6, lines 29-33).

Per claim 10, Wolff teaches an alternate embodiment wherein the gateway is provided at the user's location for performing network address extraction (see col 10, lines 37-40).

Per claims 11-12 and 24-28, Wolff also teaches an embodiment wherein a gateway is provided at a remote location for performing database accessing and network address extraction (see col 7, lines 29-49).

Per claims 17-20, Wolff further teaches that each index comprises at least two parts wherein one part of the index indicates the database and the other part of the index indicates the identification of remote computer/document (see col 7, lines 17-27).

Per claims 21-23, Wolff teaches providing an Internet communication software at the gateway for performing document retrievals without user's intervention in response to user's selecting a hypertext link (see col 9, lines 4-17).

Claims 31-36, 40-66 and 70-83 are similar in scope as that of claims 1-6 and 10-30 and hence are rejected for the same rationale set forth above for claims 1-6 and 10-30.

4. Claims 8-9, 38-39 and 68-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolff.

Wolff further teaches storing the embedded index in any conventional digital pager or storage (see col 4, lines 45-52). Wolff does not explicitly teach storing embedded index in a magnetic card. It is however noted that the use of magnetic storage for storing digital data is well known in the art (see col 8, lines 25-31).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to further utilize other conventional digital media including magnetic card or equivalents for storing/carrying the embedded links in Wolff. This is because it would have further enhanced the utility of Wolff's invention.

5. Claims 7, 37 and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolff and further in view of Moskowitz et al, U.S. pat. No. 5,822,432.

Wolff does not teach modulating the index with an audible signal. The use of audio signal to carry embedded digital data such as network address is well known in the art as disclosed by Moskowitz (see Moskowitz in col 4, lines 48-64 and col 9, lines 37-40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to further utilize audio

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encoding technique in Wolff for storing the embedded links in audible signals. This is because it would have further enhanced the utility of Wolff's invention.

Response to Amendment:

6. Applicant's arguments filed on 1/24/06 with respect to claims 1-83 are moot in view of new grounds of rejection set forth above.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Vu whose telephone number is 571-272-3977. The examiner can normally be reached on Monday through Friday from 7:00am to 4:00pm. The Group general information number is 571-272-2100. The Group fax number is 571-273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee, can be reached on 571-272-3964.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



VIET D. VU
PRIMARY EXAMINER